## WISCONSIN STATE LEGISLATURE **COMMITTEE HEARING** RECORDS

## 2005-06

(session year)

## Assembly

# Committee on Campaigns & Elections $(AC_{-CE_{-}})$

File Naming Example:

Record of Comm. Proceedings ... RCP

- 05hr\_AC-Ed\_RCP\_pt01a 05hr\_AC-Ed\_RCP\_pt01b
- 05hr\_AC-Ed\_RCP\_pt02

NOTICES ...

Committee Hearings ... CH (Public Hearing Announcements)

Executive Sessions ... ES

Committee Reports ... CR

Record of Comm. Proceedings ... RCP

INFORMATION COLLECTED BY COMMITTEE CLERK FOR AND AGAINST PROPOSAL

Appointments ... Appt

Name:

<u>Clearinghouse Rules</u> ... CRule

Hearing Records ... HR (bills and resolutions)

> 05hr\_aboo66\_AC-CE\_pto1

Miscellaneous ... Misc



### WISCONSIN LEGISLATIVE COUNCIL

Terry C. Anderson, Director Laura D. Rose, Deputy Director

TO: REPRESENTATIVE STEPHEN FREESE

FROM: Robert J. Conlin, Senior Staff Attorney

RE: 2005 Assembly Bill 66, Relating to the Acceptance of Political Contributions by Certain

Elective State Officials Before Enactment of the Biennial Budget

DATE: February 2, 2005

This memorandum describes 2005 Assembly Bill 66, relating to the acceptance of political contributions by certain elective state officials before enactment of the biennial budget. The bill was introduced by Representative Freese and others; and was cosponsored by Senator Harsdorf and others. The bill has been referred to the Assembly Committee on Campaigns and Elections, which will hold a public hearing on the bill on Thursday, February 3, 2005.

#### **CURRENT LAW**

Current campaign financing laws place various limits on political contributions made to candidates for public office. Current law includes limits on the amounts that may be contributed to candidates based upon the office to which the recipient seeks election and the type of entity making the contribution. In addition, current law generally requires recipients of campaign contributions to periodically report those contributions and to identify the contributors.

### THE BILL

2005 Assembly Bill 66 prohibits incumbent partisan elective officials, or campaign committees of such officials, from accepting any contribution for the purposes of promoting that official's nomination or reelection to the office held by that official during the period beginning on the first Monday of January in each odd-numbered year and ending on the date of enactment of the biennial budget act. The bill's prohibition, however, would not apply to such official if a recall petition has been filed against the official beginning on the date the recall petition is filed and ending on the date of the recall election or on the date on which the official resigns if the official resigns before the election.

[A prohibition similar to that contained in the bill was enacted as part of 2001 Wisconsin Act 109. The Act 109 provision was a prohibition on

persons *making* contributions as opposed to elective officials *accepting* contributions. However, that provision, along with most of the campaign finance provisions of Act 109, was subsequently voided when the Federal District Court for the Western District of Wisconsin found the treatment of one campaign finance provision of that act unconstitutional. (See *Wisconsin Realtors Association v. Ponto*, 233 F.Supp. 2d 1078 (W.D. 2002)).]

An intentional violation of the prohibitions in the bill may subject the violator to a fine of not more than \$1,000 or imprisonment of not more than six months, or both. In addition, violators may also be subject to a civil forfeiture of treble the amount or value of any unlawful contribution.

If you have any questions about this memorandum, please feel free to contact me at the Legislative Council staff offices.

RJC:ksm:tlu

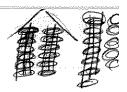
### **Vote Record**

## **Committee on Campaigns and Elections**

Representative Frederick Kessler				
Representative David Travis		П		
Representative Robin Vos				
Representative Jeffrey Wood				
Representative Mark Gundrum				
Representative Stephen Freese, Chair				
Committee Member	Ave	No	Absent	Not Voting
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Bill Number:() C				
Date: 9/25/05				







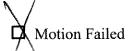
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Moved by:	Seconded by:	- jues		
AB 66 SB_		Clearinghouse Rul	e	
,		Appointment		
ARSR_		Other		
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Be recommended for:  Passage Adoption Introduction Rejection		☐ Concurrence ☐ Nonconcurrence	☐ Indefinite P	ostponement
Committee Member		<u>Aye</u> <u>No</u>	<u>Absent</u>	Not Voting
Representative Stephen	Freese, Chair			
Representative Mark Gu	ndrum			
Representative Jeffrey V	Vood			
Representative Robin Vo	os			
Representative David Tra	avis			
Representative Fredericl	k Kessler	Q A		
	Totals:	42		Marini para para para para para para para par

Motion Carried

☐ Motion Failed

#### **Vote Record**

Committee on Campaigns and Elections Date: Seconded by: Moved by: SB Clearinghouse Rule\_\_\_\_ **AJR** SJR Appointment\_ SR Other A/S Amdt A/S Amdt to A/S Amdt A/S Sub Amdt A/S Amdt to A/S Sub Amdt to A/S Sub Amdt to A/S Amdt A/S Amdt Be recommended for: Adoption Rejection □ Indefinite Postponement ☐ Confirmation □ Concurrence □ Passage □ Tabling Nonconcurrence Introduction Committee Member Absent **Not Voting** Representative Stephen Freese, Chair **Representative Mark Gundrum** Representative Jeffrey Wood Representative Robin Vos **Representative David Travis** Representative Frederick Kessler Totals:



Date: 6 9 05	<del></del>	7			
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Committee Member		<u>Aye</u>	No	<u>Absent</u>	Not Voting
Representative Stephen	Freese, Chair		<b>D</b>		
Representative Mark Gui	ndrum		囚		
Representative Jeffrey V	Vood		四		
Representative Robin Vo	os		$\mathcal{A}$		
Representative David Tra	avis	Ø			
Representative Frederick Kessler					
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☐ Motion Carried



Date: 4 9 5	V_	11		
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Be recommended for:  Passage Adopt Introduction Reject		□ Concurrence □ Nonconcurrence	□ Indefinite Po	ostponement
Committee Member		Aye No	<u>Absent</u>	Not Voting
Representative Step	hen Freese, Chair		: 3 	
Representative Mark	Gundrum			
Representative Jeffre	ey Wood			
Representative Robi	n Vos			
Representative David	d Travis			
Representative Fred	erick Kessler	<b>12</b> 13		
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Representative	Stephen Freese, Chair			<u> </u>
Representative	Mark Gundrum			
Representative	Jeffrey Wood			
Representative	Robin Vos			
Representative	David Travis			
Representative	Frederick Kessler			
	Totals	. 33		

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☐ Motion Carried

☐ Motion Failed